

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

LAFFON GLYMPH,

Plaintiff,

v.

CT CORPORATION SYSTEMS, and
COMPUCOM,

Defendants.

CASE NO. 2:21-cv-01704-JHC

ORDER

This matter comes before the Court on *pro se* Plaintiff Laffon Glymph's Motion for Leave to Proceed *in Forma Pauperis*. Dkt. # 26.

Courts may permit indigent litigants to proceed *in forma pauperis* ("IFP") after submitting an affidavit of indigency. 28 U.S.C. § 1915(a). "[A]n affidavit is sufficient which states that one cannot because of his poverty pay or give security for the costs and still be able to provide himself and dependents with the necessities of life." *Bylsma v. Hawaii Pub. Hous. Auth.*, 951 F. Supp. 2d 1116, 1119 (D. Haw. 2013) (quoting *Adkins v. E.I. Du Pont de Nemours & Co., Inc.*, 335 U.S. 331, 339 (1948)) (internal quotations omitted). Courts have broad discretion in deciding an IFP application, but "the privilege of proceeding [IFP] . . . in civil

1 actions for damages should be allowed only in exceptional circumstances.” *Weller v. Dickson*,
2 314 F.2d 598, 600 (9th Cir. 1963).

3 Courts allow litigants to proceed IFP when they show they cannot pay the filing fee. 28
4 U.S.C. § 1915(a)(1) (litigants must be “unable to pay such fees or give security therefor”). But
5 the IFP statute “does not itself define what constitutes insufficient assets.” *Escobedo v.*
6 *Applebees*, 787 F.3d 1226, 1234 (9th Cir. 2015). A litigant “need not be absolutely destitute to
7 obtain benefits of the [IFP] statute.” *Jefferson v. United States*, 277 F.2d 723, 725 (9th Cir.
8 1960). At a minimum, a litigant seeking to proceed IFP must allege a level of poverty “with
9 some particularity, definiteness and certainty.” *Id.*


10 Glymph claims she is employed and makes \$4,800 per month and has \$200 in a checking
11 account. Dkt. # 26 at 1–2. She says her monthly expenses total \$4,340. *Id.* at 2. She asserts
12 that she pays \$2,800 per month on rent and \$1,540 per month on food, insurance, car payments,
13 loan payments, and warranty payments. *Id.* She states that the cost of living in Washington is
14 high, that she is “financially indigent,” and that paying a filing fee would constitute a “financial
15 hardship.” *Id.*

16 Glymph’s financial situation does not meet the threshold level of poverty to permit her to
17 proceed IFP. Although she has high monthly expenses, Glymph is employed with an annual
18 income of around \$57,600. Glymph’s level of income in a civil case dissuades the Court from
19 determining that her finances present “exceptional circumstances” that merit IFP status. *Weller*,
20 314 F.2d at 600. *See Sears, Roebuck & Co. v. Charles W. Sears Real Est., Inc.*, 686 F. Supp.
21 385, 388 (N.D.N.Y.), *aff’d*, 865 F.2d 22 (2d Cir. 1988) (denying IFP petition because petitioner
22 and his wife had “a combined annual income of between \$34,000 and \$37,000”).

23 Glymph’s Motion for Leave to Proceed *in Forma Pauperis* is DENIED. Dkt. # 26.
24 Glymph must pay the filing fee within thirty days of this Order.

1 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
2 to any party appearing *pro se* at said party's last known address.

3 Dated this 21st day of September, 2022.

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5 John H. Chun
6 United States District Judge
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